

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GARY RICHARDSON,)	
)	
Plaintiff,)	
)	Civil Action No. 10-275 Erie
v.)	
)	
CRAWFORD COUNTY)	
CORRECTIONAL FACILITY, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on November 18, 2010, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 63], filed on June 20, 2012, recommended that the partial motion to dismiss filed by Defendant Moran [ECF No. 54] be granted and that the partial motion to dismiss filed by the Interim Healthcare Defendants [ECF No. 55] be granted, and that the claims against these Defendants at Count III of the Amended Complaint be dismissed with prejudice.

It was further recommended that the partial motion to dismiss filed by the Crawford County Defendants [ECF No. 57] be granted in part and denied in part. Specifically, the claims against all the Crawford County Defendants at Count I should be dismissed with prejudice; the claims against Defendants Lewis, Saulsbery, Ward, Preston and Allen at Count II should be dismissed with prejudice; and the claims against Crawford County Correctional Facility at Count II should survive the pending motion.

It was further recommended that Plaintiff's motion for leave to file a second amended complaint [ECF No. 60] be denied.

The parties were allowed fourteen (14) days from the date of service to file objections and no objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 12th day of July, 2012;

IT IS HEREBY ORDERED that the partial motion to dismiss filed by Defendant Moran [ECF No. 54] is GRANTED and the partial motion to dismiss filed by the Interim Healthcare Defendants [ECF No. 55] is GRANTED; the claims against these Defendants at Count III of the Amended Complaint are DISMISSED with prejudice.

IT IS FURTHER ORDERED that the partial motion to dismiss filed by the Crawford County Defendants [ECF No. 57] is GRANTED in part and DENIED in part. Specifically, the claims against all the Crawford County Defendants at Count I are DISMISSED with prejudice; the claims against Defendants Lewis, Saulsbury, Ward, Preston and Allen at Count II are DISMISSED with prejudice; and the claims against Crawford County Correctional Facility at Count II shall survive the pending motion.

IT IS FURTHER ORDERED that Plaintiff's motion for leave to file a second amended complaint [ECF No. 60] is DENIED.

The Report and Recommendation [ECF No. 63] of Magistrate Judge Baxter, filed on June 20, 2012, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge